1609/5200.

REFLECTIONS

ON THE

APPOINTMENT

OF

A CATHOLIC BISHOP

TO THE

LONDON DISTRICT.

BRITISH MUSEUM
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REFLECTIONS

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A CATHOLIC BISHOP

TO THE

LONDON DISTRICT.

In a LETTER to the CATHOLIC LAITY of the ſaid Diſtrict.

BY HENRY CLIFFORD, ESQ.

If Scandal is taken at the Truth, it is better to permit the Scandal to ariſe than to abandon the Truth.

GREGORY the GREAT, Homil. 7, ſuper Ezechielem.

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1609/5200.

REFLECTIONS

ON THE

APPOINTMENT

OF

A CATHOLIC BISHOP

TO THE

LONDON DISTRICT.

GENTLEMEN,

I Addreſs you on a topic, which, unfortunately has engaged your attention during ſeveral months, and which now threatens to terminate in your diſgrace. The affair to which I allude is the appointment of a Biſhop to the London Diſtrict; many pamphlets have appeared upon this head, but none have been addreſſed particularly to you; and, it may not be improper to review the buſineſs. My plan is eaſy, and is dictated by the nature of the ſubject. I ſhall weigh the arguments which have been brought forward on both ſides of the queſtion, and after having conſidered which method ought to have been purſued, ſhall enter into the hiſtory of the tranſaction, and ſhall examine whether the ſteps which have been taken by the Clergy, were ſuch as prudence and propriety would have dictated. I ſhall begin with the pamphlet of the Layman, ſhall conſider his arguments, and what is ſaid againſt him: this you may think a compliment to his

anſwerers: it will be ſpinning out their ephemeral exiſtence. Under the head of anſwerers, I include Mr. Milner and Mr. Plowden; Mr. Pilling I utterly exclude: thrice have I peruſed the flimſy pamphlet of Mr. Milner, nine times the ſcholaſtic work of Mr. Plowden, but it was with difficulty that I once waded through the ſcurrilous abuſe of Mr. Pilling. Some plauſible arguments are contained in the two firſt, and ſome concluſions may be drawn from them in ſupport of the opinion of the Layman; but there is a ſtile of writing which it is beneath the dignity of man to anſwer; there is a point beyond which forbearance ceaſes to be a virtue; but ſtill, indignation may be abſorbed by pity and contempt; the gardener though he treats the airy butterfly with contemptuous neglect, yet when he perceives the grovelling catterpillars crawling to beſlime his bloſſoms, he fumigates the tree, and deſtroys the vermin and its expectations.*

I own that I adopt the ſentiments of the Layman; but, I adopt them merely becauſe I think his arguments convincing. I am not guided by any other view than that of your advantage; I ſtand free and unconnected, and hope that I ſhall avoid deviating into party; a fault, which of late, alas! has too often diſgraced the proceedings of the Catholics.

> The party fool beneath his heavy load,
> Drudges a driven aſs through dirty road.

As I intend to follow the opinion of the Layman, it may be proper to begin by noticing his defects. There is one which is very apparent, and which ſtrikes one at the opening of his work. He propoſes two ends; the one to prove that "we may appoint a biſhop, without making any previous application to the court of Rome;" the other, "that the laity have a right to concur in the election." Still

* See the Note at the end of the work.

however

however he addreſſes his letter to the Clergy only, and not to the Laity and Clergy; and he addreſſes it in preference to them, becauſe they are "more "intereſted in the appointment of proper paſtors than "the laity." But in it how are the clergy more intereſted than us? We can gain nothing from the weakneſs, or from even the badneſs of a biſhop; we have nothing to expect from his improper condeſcenſion. But from a good biſhop, well qualified for his office, much good can accrue to us; we have every thing to hope, every thing to expect from him. He may render our religion reſpectable by the abolition of abuſes, of ſuperſtitious cuſtoms and of practiſes, (if any) which ſavor of idolatry; peace and harmony may be ſecured to us by his diſcernment in ſelecting paſtors: our temporal good may be advanced by the removal of prejudices, done away by his virtuous example, and our ſpiritual advantage may be promoted by our being enlightened in our religion, and being taught its maxims in their genuine purity. But the caſe is different with the clergy; they never find their account in an enlightened people, or in a biſhop, hoſtile to their ſelfiſh views, and ſiniſter intentions; improper monaſtic inſtitutions dangerous immunities, exorbitant privileges, the ſale of indulgences, falſe legends, falſe miracles, falſe prophecies, falſe doctrines, falſe viſions, and the numberleſs abuſes and nefarious practices, which have at times crept into, and have diſfigured our religion, are the fertile offspring of an ignorant and unenlightened people, of an intriguing clergy, of weak and condeſcending biſhops, and of aſpiring popes; I mean not to impute ſuch ſelfiſh views, or ſiniſter intentions to our clergy. Nothing is farther from my thoughts; with many of them I am intimately acquainted; many of them I reſpect and love; but the clergy are men and ſubject to the frailties of man, they are not always willing to ſacrifice to the ſpiritual welfare of their reli-

gion, their own private good, or even their extravagant pretenſions.

The chief point eſtabliſhed by the Layman is, that the diſcipline of the Church requires, that Bi- " ſhops ſhould be choſen by the clergy and the peo- " ple over whom they are to preſide," and this he eſtabliſhes by irrefragable arguments; he quotes the laws of the Church during the ſix firſt centuries, and proves from them, from the canons of councils, from the letters of Popes, and from unqueſtioned and unqueſtionable facts, that, in thoſe early times, when the Chriſtian religion flouriſhed in its priſtine purity, and before the introduction of the falſe decretals had altered the practices of religion, Biſhops were choſen by the Clergy of the dioceſe, in conjunction with, or at leaſt with the conſent and approbation of the people over whom they were to preſide; and, that thus choſen, they were ordained and conſecrated by the neighboring Biſhops, without any interference of the Court, or rather (for there is a great difference) of the See of Rome. The Biſhops, it is true, were not obliged to conſecrate a perſon, of whoſe morals or of whoſe orthodoxy they doubted, nor were the people forced to receive from them a prelate who was not the object of their choice.

This is ſo evident, that Mr. Milner is forced to admit it; but as it makes againſt his own hypotheſis he endeavors, by a ſtrained explanation, to do away the force of the quotations. He diſtinguiſhes between a " paſſive" and an " active" voice; the former he allows the people, but refuſes them the latter*. This is a wonderful diſtinction; few perhaps are able to underſtand it: none without the help of ſcholaſtic divinity. The people " were always called " upon to bear teſtimony to the conduct of the

* Clergyman's Anſwer, page 8, et ſeq.

elect;

" elect; to expreſs how far the object of the pre-
" late's choice was agreeable or diſagreeable to
" to them;" * and " ſuch was the reſpect paid to the
" wiſhes of the people, that it conſtituted one of the
" rules by which thoſe who had the right of election
" were guided in the choice of a prelate †." Still however " no right of election was veſted in the
" people ‡." But, ſuppoſing them to have given a report unfavorable to the character of the perſon propoſed, and poſitively to have declared him to be diſagreeable to them, what would have been the conſequence?—" Reſpect to the wiſhes of the peo-
" ple was one of the rules by which the electors
" were ſwayed;" the man therefore thus diſapproved would have been rejected, and another have been choſen in his place, agreeably to the wiſhes and deſires of the people. Thus, if the people had not an actual right of election, they enjoyed at leaſt its equivalent, and could by repeated diſapprobations force the electors to chooſe the perſon moſt agreeable to them; elſe, what need of their attendance?—what ſignified " their teſtimony of his conduct, and
" their approbation of his perſon?"—how could re-
" ſpect to their wiſhes be one of the rules by which
" the electors were guided?" If a perſon could be appointed in oppoſition to the wiſhes of the people, the aſking their teſtimony and approbation was an unmeaning compliment; it was adding mockery to inſult, by reducing them to the empty function of a mere Indian puppet, the giving an involuntary nod of ſenſeleſs approbation at the leaſt touch or breath of the Reverends, or Right Reverends.

But, what means this diſtinction of an active and a paſſive voice? By " active" voice I underſtand the power of giving one's vote at the election; by

* Clergyman's Anſwer, page 8.
† Ibid. page 11.
‡ Ibid. paſſim.

" paſſive"

"paſſive" voice, that of aſſiſting at the election without having the power of giving a vote on either ſide.—To conſider this in a more familiar point of view, thoſe who had an active voice were like the actors in a play; thoſe who had a paſſive one, like the audience which attends the repreſentation. To continue this ſuppoſition, and to carry it to its fulleſt extent, I will ſuppoſe London to be the ſtage, the election of a Biſhop to be the drama acted, the Laity to be the audience, and the Clergy to be the ſole actors; here, the whole performance is in the hands of the Clergy; the laity have no ſhare in the repreſentation: they are aſſembled in hopes of their approbation to the play and to the actors; but, if they diſlike the piece, or diſapprove of the performer, they have a right to damn the one and to hiſs the other off the ſtage.

The next argument of Mr. Milner carries with it a ſtrong appearance of candor and of plauſibility; it may eaſily miſlead the ignorant and uniſtructed; I ſhall therefore dwell upon it for ſome time. He ſeems to grant, that in the early ages the diſcipline of the Church was ſuch as the Layman deſcribes it to have been; but, as the Church has the power of abrogating and of altering her laws according to the exigencies of the times, "the queſ-"tion is not what the diſcipline of the Church, "once was, but what it is now* :" but, is the preſent method of appointing biſhops the diſcipline of the Church, or is it rather its abuſe? This leads me to examine in what manner the preſent diſcipline was introduced.

In the firſt ages of the Church, the Popes, humble ſucceſſors of a fiſherman and repreſentatives of him whoſe kingdom is not of this world, conſidered the leading of their flock in the way of eternal felicity to be their only duty; heedleſs of temporal

* Clergyman's Anſwer, page 13.

concerns

concerns, and untainted with either the habits or luſt of domination, their only object was to preſerve religion in its priſtine purity, to promote union among the members of the church, to defend their own juſt prerogatives, and to ſupport the privileges of biſhops, againſt thoſe even who attempted by diminiſhing the power of epiſcopacy to increaſe the influence of the Holy See;* choſen without intrigue, filling their high poſt without any intereſted view, ſanctifying it by their virtues, rendering it reſpectable by the wiſdom of their opinions, and enriching it with the deciſions of the provincial churches, a vaſt reſpect for the Holy See, and for the deciſions which emanated from it was naturally generated amongſt the faithful; hence nothing of conſequence was done, without aſking the opinion of the pontiff; hence the Holy See was conſulted upon every emergency: but, Popes having by degrees connected temporal dominion, with the ſpiritual power of their See, and having once taſted the ſweets of domination, they wiſhed to exchange the humble function of Chriſt's ſpiritual vicar, for the more pleaſant, and more ſplendid duty of an earthly ſovereign; tired of being no more than the ſervant of ſervants, they laid a plan for becoming the rulers of the univerſe, the diſpoſers of kingdoms, and dethroners of kings; the execution was difficult; former Popes had refuſed the title of univerſal paſtor,† had been offended at thoſe who had aſked their commands,‡ and had enforced the decrees of councils

* By not preſerving to each biſhop his proper juriſdiction, the order of the Church is reverſed, and that by us (the popes) whoſe duty it is to protect it. Epiſtles of St. Gregory the Great, lib. 9. epiſt. 22.

† If one alone is univerſal, it follows that you are not biſhops. Gregory the Great, ibid. lib. 9. epiſt. 69.

‡ I beg you will no more offend me by the word *command* (Juſſio) becauſe I know who I am, and who you are. As to the place which I occupy, you are my brethren; as to morals, you are my maſters. I did not then *command*, but only declared what was uſeful. Ibid lib. 8. epiſt 30. ad Eulogium Biſhop of Alexandria,

eſtabliſhing

eſtabliſhing the independence of biſhops; all this was an obſtruction to their univerſal empire; ſomething was neceſſary to outdo and overbalance the weight of theſe examples; an expedient was ſoon found; the reputation and ſanctity of ancient Popes were called in to their aſſiſtance, and they eſtabliſhed univerſal domination on the poverty and humility of their virtuous predeceſſors; nor, were means long wanting to perfect their deſign; the world was ſoon aſtoniſhed by the appearance of a collection of decrees and of letters, in the names of Councils and of Popes who flouriſhed in the beginning of the Church; letters and decrees unknown at the times when they were ſuppoſed to have been written, but afterwards diſcovered by a Spaniſh merchant, and authorized and promulgated by a German biſhop; by theſe decretals (commonly known by the name of the falſe decretals) the Pope was declared the biſhop of the univerſal Church, the head and pivot of all other churches; the Catholic religion was denominated Roman, the court of Rome was inſtituted, cauſes were referred to it, the judgment of biſhops was ſubject to its reviſal; the confirmation of the See of Rome was declared neceſſary to the decrees of Synods, and its authority was required for their convocation; the nerves of diſcipline were weakened by releaſing the inferior clergy from obedience to their biſhops, and by relieving biſhops from their dependance on metropolitans; appeals were permitted to every rank of eccleſiaſtics and plenitude of power was attributed to the Pope.

Such gentlemen were the famous decretals of Iſidore, the ground-work of the court of Rome; decretals which reverſed the fair order and eſtabliſhed hierarchy of the Church, diſfigured the face of religion, and gave riſe to all the hereſies and ſchiſms which have ſince divided the inheritance of Chriſt. At firſt they met with oppoſition; the

the faithful were ſcandalized; good men were ſhocked at them; biſhops refuſed them, and ſovereigns rejected them. But, the good fortune of Rome prevailed; ſcholaſtic divinity with all its ridicules and evils was introduced in their ſupport; ſwarms of mendicants and armies of religious were ſent forth to preach up their pernicious and irreligious maxims; theſe, enforced them by the immunities which they obtained, and eſtabliſhed them by their exemption from ordinary juriſdiction. They were ſoon taught in the Italian ſchools, and thence diffuſed throughout the univerſe*. The attention of the people was engaged in cruſades, and in promoting the intereſts of a God of meekneſs and of his religion, by the devaſtation of provinces, by the murder of mankind, and by every ſpecies of debauchery and wickedneſs. Their hearts were corrupted, their minds were led aſtray, they were rendered indifferent to crime by a ſhameful profuſion of ſcandalous indulgences; they had neither ability nor leiſure to reflect; the world was the inheritance of ignorance; learning was relegated to the cloiſter, whoſe bigotted inhabitants were intereſted in keeping up the general deluſion. No wonder then that theſe decretals and their maxims met with ſuch unparalleled ſucceſs. Every thing conſpired in their favor. Nobody was able, was willing to detect their fallacy†. Hæc et alia deteſtabilia a ſulphureo fonte Romanæ eccleſiæ, proh pudor! imo et proh dolar! tunc temporis emanarunt.

Such, Gentlemen, are the principles on which the preſent church diſcipline is founded; and, can a doubt remain as to which ought to be adopted,

* They were firſt taught publicly in the univerſity of Bologna.

† See the falſe decretals, and alſo the account given of them by Baluze, in his preface to Region's Eccleſiaſtical Diſcipline.

the

the primitive diſcipline of the Church, or diſcipline introduced in the manner which I have mentioned? I know that the preſent mode has ſince been ſanctioned by the decrees of councils; but, theſe ſanctions were founded on the decretals whoſe ſpuriouſneſs was not as yet diſcovered. The fathers of theſe councils were in error; their decrees muſt fall with the principles on which they were eſtabliſhed; diſcipline muſt ceaſe with the circumſtances which gave riſe to it. I mean not by this to queſtion the infallibility of councils; I ſincerely believe in it; and, as a Catholic, am bound to do ſo in matters which relate to the dogma of faith: but, where faith is not concerned, I know that councils have erred, and I believe that the fathers who compoſe them are as liable to error as any other ſet of men. Is the queſtion then "what the church diſcipline is at preſent," not what it was in former ages? I think not, Gentlemen; and I think it the duty of every good Catholic who has a ſincere regard for his religion, to purify it to the utmoſt of his power; to endeavor to re-eſtabliſh the ancient diſcipline, and to diveſt it of abuſes. "It is the duty of every "one to ſpeak openly. Though biſhops ſhould "have loſt their authority, Chriſtians ſtill retain "their voice; and ſhould a man be vicious, or "even diſhonoured by crime, he ought not to "keep ſilence on that account; for every ſinner is "allowed to defend the common faith of the "Church which he believes, and which he pro-"feſſes to be his faith; and freely to combat the "adverſaries to this common belief."* "The "commiſſion of Chriſt, *Peter, loveſt thou me—feed "my ſheep*, was not confined to prieſts alone, but "was ſaid to each of us†."

* Godfrey, Abbot of Vendome. Opuſc. de inveſtit.

† Saint John Chryſoſtom. Homil. 79, in Mattheum.

But

But, the Church is competent "to abrogate and "to alter her own laws:"----certainly, if ſhe be competent to make them; and therefore, even ſuppoſing, (which I do not ſuppoſe) that the preſent mode of nominating our biſhops is conſonant with the true diſcipline of the Church, and properly introduced; yet, if the exigencies of the times, or the advantage of our religion, require any alteration in it, that diſcipline ſhould be altered, and ſhould be accommodated to the circumſtances. But, how is it to be altered?—By ourſelves; by the votes of our clergy, with the conſent of the laity, and with the approbation of our biſhops? elſe, how can it be accompliſhed? The Pope will not be willing to correct our diſcipline by giving up his extravagant and uſurped prerogatives; and where his intereſt is not concerned, he is not ſufficiently acquainted with our ſituation to know which cuſtoms ſhould be abrogated, and which preſerved *. I know that a former Pope † grieved at the abuſes which had crept into the Church; and conſcious that they had all originated in the court of Rome, and in the ambition of its pontiffs, attempted to reform that court, in order "that health and re-"formation might proceed from the ſame ſource "from which the corruption had iſſued, and had "ſpread among the inferior churches ‡;" and one of his ſucceſſors ‖, ſhocked at the enormous catalogue of abuſes kept up by the court of Rome, exclaimed, that he did not ſee "how thoſe who

* Were there any need of proving this, I could mention a few facts which the clergy would not like to hear, but which would throw great light upon the ſubject.

† Adrian 6.

‡ See the inſtructions given by Pope Adrian 6. to his Legate at the Diet of the Empire. Raynaldus, Annal. Eccles. tom. 20. ad ann. 1522.

‖ Marcellus 2.

" enjoyed this dignity could work out their ſalva-
" tion." But, vain were their attempts; Marcellus lived not to work a reformation, and Adrian for attempting it has been impudently ſtigmatized as a bad Pope by the Italians. Yet this abuſe of diſcipline is univerſally allowed; and the three laſt general councils were convened for the expreſs purpoſe of reforming the Church in its head and in its members. But, the power of the court of Rome has always been ſufficient to prevent theſe ſalutary reforms; how then are they to be effected? Not by the See of Rome, as it is not only unwilling, but unqualified to do it. Not by a general council of the church, as councils have been hitherto unable to effectuate their purpoſe, and their decrees as to diſcipline are of no weight in any nation until the ſtate has accepted and adopted them. But, even ſuppoſing the reverſe, it is not to a general council that we ſhould look up for redreſs. When the exigencies of the times require any change, the generally require an immediate one. Tardineſs of reform may bring ruin on religion, which by a ſeaſonable alteration would be ameliorated and advanced. General councils are a long time aſſembling, and when aſſembled their reforms may come too late. Beſides, the intereſts of a ſmall body, or even of one kingdom, are not a ſufficient cauſe for ſummoning a council, whoſe buſineſs is to attend to the general welfare of Chriſtianity, without conſidering the private advantage of individual churches. There remains then but one mean of compaſſing the wiſhed for end; and that is, in the agreement of ourſelves, of our clergy, and of our biſhops.

The Layman next adverts to the nature of our preſent eccleſiaſtical ſuperiors. Theſe he very properly calls " foreign emiſſaries preſiding over us by a lamentable abuſe*." For my part, I know not

* Page 13.

by

by what name to call them. Entirely dependent on and penſioned by the Court of Rome*, liable to be caſhiered at the firſt extravagant whim or vagary of its miniſters, being biſhops in Africa without a flock, having a flock here without being our biſhops, unable to diſcharge the duties for which they were ordained, they muſt claſs as a ſpecies of non-deſcripts. They are a kind of eccleſiaſtical hermaphrodite, partaking of the nature of a biſhop, though not poſſeſſed of his powers, nor of his ordinary faculties.

Such, Gentlemen, are the perſons whoſe condition the Layman adviſes us to change, and whom he exhorts us to free from their dependance by making them our own. Still Mr. Milner wiſhes us to continue them, becauſe we have long lived under their direction, and hitherto they have been virtuous and good men. Strange kind of reaſoning! as if we ought to be uncatholic by preſcription, and continue to do wrong becauſe virtuous men have done wrong before us. The appointment over us Vicars Apoſtolic inſtead of ordinary Biſhops is an abuſe, and therefore ought to be corrected. They were introduced amongſt us for our convenience, and to repel the prejudices which then prevailed againſt us. Now we find them inconvenient; they defeat the end for which they were created; why then ſhould we not diſcharge them? Beſides, the general diſcipline of the church requires ordinary biſhops, and we ought to conform to it as much as we are able.—I cannot help obſerving that it is rather curious that Mr. Milner, who in his great veneration for the preſent practice of the church would deprive us of the privilege of electing our own biſhops, now ſtands foremoſt in ſupport of this abuſe, in oppoſition to the eſtabliſhed cuſtoms of the church.

* I am informed that each of our biſhops is paid 50l. per annum by the Court of Rome; but I cannot poſitively vouch for this fact, as I never ſaw any of their receipts.

I ſhall

I ſhall now proceed to the Layman's remarks upon the oath taken by the biſhops at their conſecration; and, as it is taken by ordinary biſhops as well as by our vicars apoſtolic, it will not be improper to comment largely upon the ſubject. It is an oath of temporal fealty and homage by which biſhops become villeins to the Pope, and by which they are diſabled from making the leaſt oppoſition to his will. And it is conſidered in this light by all eccleſiaſtical hiſtorians. I have adopted the tranſlation of the Layman except in a few inſtances, and have added two other Oaths which will throw great light upon the ſubject.

OATH taken by Biſhops at their conſecration.	OATH taken by king John, when he ſubjected the kingdom of England to the Pope*.	OATH taken by the French Biſhops to the King.
I N. N. elect of the Church N. from this hour forward will be faithful and obedient to bleſſed Peter the apoſtle, and to the Holy Roman Church, and to our Lord the Lord Pope N. and to his ſucceſſors, canonically entering.	1. I John, by the grace of God, king of England, and Lord of Ireland, from this hour forward will be faithful to God, and to bleſſed Peter, and to the Roman Church, and to my Lord the Pope, the Lord Innocent and his ſucceſſors, catholicly entering	I ſwear by the moſt ſacred and holy Word of God, Sire, and promiſe to your Majeſty, that I will be as long as I ſhall live, a faithful ſubject and ſervant to him; and that I will procure his ſervice, and the welfare of his ſtate with all my power.
I will not counſel or conſent, or be aſſiſting	2. I will not be concerned in any act,	I will not aſſiſt in any counſel, deſign or

* This oath of king John, is not in exactly the ſame order as it was taken. I was obliged to tranſpoſe ſome of the articles, to make them tally with the epiſcopal oath. I have however numbered each article in its proper order.

aſſiſting in or to any act whereby they may loſe life or limb, or may be ſeized or ill treated, or violent hands be laid upon them in any manner whatſoever, or any kind of injury be done to them on any pretence whatſoever.

But any counſel with which they ſhall inſtruct me, whether by themſelves, by their nuncios, or by letters, to their hurt I will not knowingly diſcover to any perſon.

The Roman papacy and the royalties of St. Peter, I will (ſaving mine own order) aſſiſt them to keep and to defend againſt any man.

The legate of the apoſtolic See, going out and returning back, I will honourably treat and aſſiſt in his neceſſities.

The rights, honors, privileges and authorities of the holy Roman Church of our Lord the Pope,

act, ſaying, conſent or counſel whereby they may loſe life or limb, or be ſeized or ill treated.

4. Any counſel with which they ſhall inſtruct me, whether by themſelves, or by their nuncios, or their letters, I will keep ſecret and will not knowingly diſcover it to their hurt to any perſon.

5. The patrimony of bleſſed Peter, and more eſpecially the kingdom of England and the kingdom of Ireland, I will aſſiſt them to keep and defend to the utmoſt of my power againſt all men.

or enterprize to the prejudice of the ſame.

and

and of his ſucceſſors aforeſaid, I will be careful to preſerve, to defend, to enlarge and to promote.

Nor will I be concerned in council, act, or treaty, wherein any thing diſadvantageous or prejudicial to our ſaid Lord, or to the ſaid Roman Church to their perſons, right, honor, ſtate or power ſhall be deviſed. And if I know any ſuch things to be treated of by any perſons whomſoever, I will impede the ſame to the utmoſt of my power, and as ſoon as poſſible will give information to our ſaid Lord, or to ſome other perſon by whoſe means it may come to his knowledge.

3. Any thing to their prejudice which I ſhall know I will impede, and will preſerve their privileges if I am able, otherwiſe I will give information to them as ſoon as poſſible, or will tell it to ſuch perſons as I ſhall believe will certainly tell them.

And if any thing of the kind ſhall come to my knowledge I will make it known to your Majeſty.

The rules of the holy fathers, the decrees, orders or appointments, reſervations, proviſions and apoſtolical mandates, I will obſerve with all my might, and cauſe to be obſerved by others.

All heretics, ſchiſmatics, and rebels againſt our ſaid Lord and his aforeſaid ſucceſſors I will to the utmoſt of my power

power *perſecute* and *impugn*.

When called to a ſynod I will come if not prevented by ſome canonical impediment.

The threſholds of the apoſtles I will perſonally viſit every three years, and will give an account to our Lord and his aforeſaid ſucceſſors of my whole paſtoral charge, and of all things which in any manner relate to the ſtate of my church, the diſcipline of my clergy and people, and the ſalvation of the ſouls committed to my truſt; and, on the other hand, I will humbly receive and with my beſt diligence will execute all apoſtolical mandates.

But if I be detained by any lawful impediment, I will perform all the aforeſaid things by a truſty meſſenger eſpecially commiſſioned for that purpoſe from among my chapter, or ſome other perſon poſſeſſed of ſome eccleſiaſtical dignity, or otherwiſe of ſome parſonage; or failing theſe, by ſome prieſt of my dioceſe; and if I ſhould have no clergy, by ſome other prieſt, ſecular, or re-

gular, of known probity and religion, who ſhall be fully inſtructed in all things before mentioned. But of ſuch impediments I will give due information, by legal proofs to be tranſmitted by the aforeſaid meſſenger to the propounding Cardinal of the holy Roman Church in the congregation of the ſacred council.

The poſſeſſions belonging to my table I will neither ſell, give away, mortgage, nor infeoff anew, nor in any manner alienate, even with the conſent of my chapter, without conſulting the Roman Pontiff: And, if I make any ſuch alienation, I am willing immediately to incur the penalties contained in a certain conſtitution ſet forth for this purpoſe.

This ſtrange oath, the production of Gregory the VII. at firſt was tendered to only the Italian biſhops, and to ſuch as held their biſhoprics immediately dependent on the Holy See. When offered to the Sicilian biſhops, it was refuſed by them as derogatory from their privileges, and from the rights of epiſcopacy; nor, was it taken univerſally till under Alexander the III. in the middle of the twelfth century, till which period the confirmation of biſhops was veſted in the provincial ſynod.*

* See Van Eſpen.

It will, I doubt not, appear extraordinary to thoſe who judge of things from their mere nature, and from their common import, that I ſhould deem it neceſſary to prove, that the tendency of this oath is of a temporal nature; but I feel myſelf obliged to it, ſince perſons who wiſh, even in defiance of common ſenſe, to ſupport every meaſure of the court of Rome, have thought proper to deny it.

When words are of a doubtful, or of an ambiguous conſtruction, their meaning muſt be collected from a conſideration of the views, of the character, and of the deſigns of the perſon who made uſe of them. Hence, were there any ambiguity in the words of this oath, and could they bear either a ſpiritual or a temporal ſignification, ſtill the ambitious views, the aſpiring character, the aim at univerſal dominion, which marked the every action of Gregory, would be a ſtrong preſumption at leaſt, that the homage included in this oath was of a temporal nature, and calculated to further the temporal ſovereignty of this great, but ambitious pontiff: of this Mr. Plowden ſeems convinced, and he therefore dexterouſly evades the force of the remark, by aſſerting roundly, that the oath was prior to that age, and was introduced into France and Germany by St. Boniface, who lived about three hundred years before the pontificate of Gregory*. But, where did Mr. Plowden gather this piece of information, unknown to all former eccleſiaſtic writers? But, ſince he has detected their miſtake, I hope, that for the ſake of truth, he will inform us by what means he made the diſcovery, and upon what original memoirs and authentic records he founds his new ſtatement of this fact. Till ſuch time as he ſhall ſatisfy the world on this particular, it will not give

* Conſiderations on the modern opinion of the fallibility of the Holy See, page 130, in the note.

credit to his bare aſſertion, nor will it be inclined to pay implicit faith to his opinion, in oppoſition to the united ſentiments of all eccleſiaſtical hiſtorians. But, there is no need of conſidering theſe circumſtances, in order to form an accurate idea of this oath; it is ſufficiently explanatory of itſelf; nor can any real doubt as to its import ariſe in the mind of a diſpaſſionate unbiaſſed reader; it as clearly contains temporal fealty as poſſible.

A few obſervations on the oath taken by King John will eſtabliſh the point beyond a power of reply.

When King John was nearly overcome by the enemies which the court of Rome had raiſed againſt him, for having made oppoſition to its extravagant pretenſions, and was fooliſhly deſpairing of the ſalvation of his ſoul, on account of a papal excommunication, Pandulphus, a legate of the Holy See, arrived in England with a plan of pacification. The terms were hard; but ſuch was the power of John's enemies, and ſuch his cowardice and ſuperſtition, that he thought it better to accept the crown as a vaſſal of the Pope, than by ſtanding up to his prerogative, to endanger his life, his crown, and his ſalvation. He therefore ſigned the peace, which had been brought from Rome, bound himſelf to obey in every thing the commands of the Pope, reſigned his crown into the hands of the legate by a written inſtrument and oath, and ſubmitted to the infamy of becoming a vaſſal to a foreign prelate. The deed of reſignation is worth being attended to, I ſhall therefore tranſcribe its chief particulars.

"Being unable to atone ſufficiently for our of-
"fences againſt God and his Holy Church, with-
"out humbling ourſelves and kingdoms, and being
"deſirous of humiliating ourſelves for him who
"humbled himſelf to death, WE, by the inſpira-
"tion of the Holy Ghoſt, without either conſtraint
"or fear, but of our own good-will, and by the

"Common

" Common Council of our Peers, DO CONFER AND " GIVE unto God, and his holy Apoſtles Peter and " Paul, and to the Holy Roman Church our Mo- " ther, and to the Lord Pope Innocent and his Ca- " tholic ſucceſſors, all the kingdom of England, and " the kingdom of Ireland, with all their rights and ap- " purtenances, in remiſſion of our ſins, and of thoſe " of our whole race, as well living as dead, receiv- " ing and holding the ſame from him, and from " the Roman Church, *in quality of vaſſal*, and in " the preſence of Pandulphus, ſub-deacon and friend " to our Lord the Pope; Moreover, to the ſaid Lord " Pope Innocent, and his Catholic ſucceſſors, and " to the Roman Church, according to the under- " written form, we have made and ſworn *liege ho-* " *mage* in preſence of Pandulphus, and if we could " be before the Lord the Pope, we would do it to " him; hereby binding our ſucceſſors and lawful " heirs, for ever, in like manner and without de- " fault to ſwear fidelity, and to acknowledge their " homage to the Pope for the time being." And then, after promiſing an annual tribute of one thouſand marks ſterling,* viz. Seven hundred for England, † and three hundred for Ireland, ‡ for all ſervices; he concludes by declaring, that " if he, or " any of his ſucceſſors, ſhall attempt any thing to " the contrary thereof, he ſhall thereupon forfeit " his crown."

When the daſtard John had ſhamefully executed this ignominious deed, he delivered it to Pandulphus, who thereupon trampled under his feet the money which this weak prince had given him as an earneſt of his ſubjection §.

* £.666, 13s. 4d. ſterling, an amazing ſum in thoſe days.
† £.466. 13s. 4d.
‡ £.200.
§ Matth. Paris, page 225 to 230, ad ann. 1213.

Such,

Such, Gentlemen, was the nature of the homage made by John; an account of which I have tranſcribed, leſt any perſons wiſhing to defend the epiſcopal oath, ſhould endeavour to perſuade you that his ſubmiſſion applied to things merely ſpiritual.

I ſhall ſay but little upon the oath of the French Biſhops; as it is taken to a temporal prince, it were ſuperfluous to prove that its nature is temporal. No clergyman will allow that an oath taken to a Lay Sovereign can have any other tendency. I ſhall therefore conſider theſe two oaths conjunctly, and draw from them a few obſervations.

The object of theſe two oaths, was to determine the allegiance of the perſons who took them. The French oath was meant to ſecure the fidelity of the biſhops, and to prevent them from ſupporting the intereſts of any foreign power, to the prejudice of their rightful Sovereign. The oath of John had a tendency ſtill more extenſive. He had been excommunicated and deprived of his kingdom by the Pope, who had beſtowed it on another, and who reſtored it to him on the expreſs condition of his holding it as his vaſſal and tributary, of doing liege homage, and of ſwearing fidelity to him. By both theſe oaths temporal allegiance is meant to be ſecured; but, more is intended by the one than by the other; they are therefore expreſſed accordingly. By the one, (as no more is meant, than the uſual allegiance which every good ſubject owes in duty to his Sovereign) fidelity to the prince, a promiſe to procure his ſervice and the welfare of his ſtate, the not aſſiſting in any ſcheme prejudicial to either, and a diſcovery of any thing to their hurt, are required as neceſſary points, conſtituting the very eſſence of temporal allegiance. But, in the other oath, (by which the loweſt ſubmiſſion is to be made, and the moſt degrading bondage to be entered into) this and ſtill more is called for; nothing is omitted which can render the ſervitude complete: a promiſe to keep

the

the Pope's ſecrets inviolable, aſſiſtance in defending his territories when attacked, and implicit obedience to all the orders of the Holy See, are exacted in addition to the articles of mere temporal allegiance. An oath containing all theſe was in the opinion of the court of Rome an acknowledgment of bondage, and was uſed by that court as the moſt proper means of ſubjecting to its power, and of retaining in ſlavery a daſtard king and an impoveriſhed people. But all this is contained in the epiſcopal oath, and much of it in terms ſtronger and more full. How then can it be denied, that temporal allegiance is the object of this oath? The biſhop, moreover, ſubmits his very table to the controul of Rome, and promiſes to perſecute thoſe, who in even religious ſentiments ſhall differ from the Pope. It is true that an annual tribute is not required from them, but they are made to pay moſt dearly for their Bulls, and to give up the fruits of their firſt years revenue. Their money is not trampled on; Popes are now grown wiſer; but what is worſe, they trample upon their honor by forcing their conſciences, and by making them ſubmit to the infamy of ſuch an ignominious oath. Beſides, what can be more ſhocking than that a biſhop, the teacher of that religion whoſe divine Author forbid the ſword to be unſheathed, even in his own defence, ſhould bind himſelf, in the moſt ſolemn manner, to raiſe the rod of perſecution againſt thoſe whoſe ſentiments in religion are different from his own. Many attempts have been made to prove that the word *Perſequi* means only to perſuade by argument; but nobody will be convinced of it. When Cæſar ſtopping in the midſt of carnage ſays, "longius perſequi veritus quod ſylvæ et paludes intercedebant," no perſon will believe that he was endeavoring by eloquence and argument to perſuade the Dutch to let themſelves be cut to pieces; or, that the woods and marſhes ſtopt him in the midſt of an harangue. The biſhops alſo

ſwear

ſwear to viſit triennially the threſholds of the apoſtles; a promiſe which God is ſacrilegiouſly called upon to witneſs, though it is not intended to be complied with, and few have it in their power.

I am well aware of the reply of Mr. Milner, * "that circumſtances are to determine the nature of "the ſubjection; that when I ſwear obedience to a "civil ſuperior, I bind myſelf in civil concerns; "when to a ſpiritual one, that my oath relates to "the affairs of my ſoul." I read this kind of reaſoning with ſurpriſe, aud without being convinced by it; nor can I perſuade myſelf, that theſe are the real ſentiments of Mr. Milner; or, that were I, in order to obtain a ſeat in parliament, to ſwear my diſbelief in tranſubſtantiation, he would think my oath merely temporal becauſe taken to a ſecular parliament. For my part, I have always been accuſtomed to judge of things from their own intrinſic nature, and by the rules of common ſenſe; I am not ſufficiently verſed in ſcholaſtic divinity to ſubſtitute its learned quiddities in their place; nor do I think that with even its help I ſhall ever feel myſelf inclined to adopt an apology for perjury, and to look upon an oath, the moſt ſacred and moſt ſolemn act of religion, in the light of a cameleon varying its hue to the colour of each object which it touches.

It is not now for the firſt time that objections have been raiſed againſt this ſhameful oath. In thoſe countries even where it has been ſubmitted to, it has been looked upon with a jealous eye. In the ſummary of abuſes of the court of Rome, drawn up and publiſhed by Vicelius, by order of the Emperors Ferdinand I. and Maximilian II. † it is complained that the Pope of Rome, by an oath ſubjects the biſhops to him, ties their hands and their feet ſo

* Page 20. † Page 112.

that

that they dare not defend freely the Chriſtian faith, through fear of offending him, and even have their mouths ſhut whatever faults may be committed by the See of Rome; nor can it be ſaid that this was putting a falſe conſtruction on the words of the oath, it is the ſenſe in which it is underſtood by the court of Rome, at leaſt if we may credit the following account: Dietherus of Iſenbourg, Archbiſhop of Mentz, having reſiſted the papal exactions, Pope Pius II. in a letter to the Dean and Chapter of Dietherus, blames the archbiſhop for wiſhing to humble the Holy See, and to raiſe the Imperial power; for, "to ſay the truth againſt the Pope is "contrary to the oath of biſhops*."

I have no more to ſay upon this oath. You perceive, Gentlemen, its meaning, and in what light it is conſidered by the court of Rome. With you it reſts whether you will be governed by perſons who by an oath are bound to ſupport, right or wrong, the meaſures of the court of Rome.

I ſhall now notice an objection of Mr. Plowden. In order to prove that biſhops and their flocks are dependant on the Pope, and, conſequently, that he has a right to approve and to diſapprove of their election, he quotes the following Canon of the Council of Florence: † "That the Pope is the "true ſucceſſor of St. Peter, the prince of the "apoſtles; that he is true Vicar of Chriſt upon "earth, and has received from Jeſus Chriſt a ple-"nitude of power to feed, to rule, and to govern "the Univerſal Church."

It is rather extraordinary that Mr. Plowden, after uſing many expreſſions in direct oppoſition to the decrees of councils, ſhould endeavour to ſupport his opinion by the canons of a council whoſe œcumenicity is queſtioned. But, I ſhall not inſiſt

* Schilter de Libert. Eccl. Germ. lib. 7. cap. 2. ſect. 12.

† Page 119.

on

on this; there is nothing in this canon which eſtabliſhes the ſovereignty of the Pope. The title of Vicar of Chriſt was given to every biſhop in the beginning of the Church; and, as late as the 9th century, we have examples of their taking it. "We are (ſay the Fathers of the Council of "Meaux*), although unworthy, yet the Vicars "of Jeſus Chriſt, and the ſucceſſors of the Apoſ-"tles:" and the biſhops aſſembled at Chierſy † enjoin Lewis of Germany "to revere the rectors "and paſtors of churches, as being the Vicars of "Jeſus Chriſt." Nor, does this title convey a plenitude of power. The firſt Council of Conſtantinople ſtiles the Church of Antioch the Senior and true Apoſtolic Church, and that of Jeruſalem is named by it the Mother of all Churches ‡. Nor did even the Council of Trent conceive any ſuch meaning to be annexed to theſe words. Many diſputes having ariſen concerning the power of the Pope, it was propoſed in that council to give a definition of it according to the ſenſe of the Council of Florence. A decree was prepared in almoſt the ſame words; but the biſhops perceiving that it was intended to give a ſupreme authority to the Pope, much clamour was raiſed againſt and much oppoſition was made to the decree. The French biſhops declared, that conſiſtently with the Gallican privileges, the Pope could not have the right of "ruling, feeding, and governing the Univerſal Church;" and, at length, after many violent debates, and at the deſire of the Pope, the decree

* In the year 845. The ſame title was taken by the Fathers of the Council of Thionville in the preceding year. See the Conciles du Pere Hurdouin, tom. 4, col. 1466 & 1480.

† Anno 858. Ibid. tom. 5, c. 7.

‡ Epiſt. Conſtantin. Synodi ad Damaſum Papam et ad epiſcopos in Synodo Romano congregatos. Concilia generalia, vol. 1, fol. 237, C.

was withdrawn, although expreſſed in the very words of the Council of Florence *.

From the foregoing remarks the following concluſion may be drawn, " that we have a right to " chooſe our biſhops without any interference " whatſoever of the See of Rome." In the firſt ages they were choſen by the people over whom they were to preſide, and at preſent they are appointed by them in every Catholic country. Kings are the repreſentatives and vicegerents of the people; from the people their power is derived. In the Sovereign the will of the nation is concentered and reduced to action; his every act is ſuppoſed to be the action of the people; it follows, therefore, that biſhops nominated by the Sovereign are nominated by the people. The preſent practice of the church then is not in fact different from that of former ages. Biſhops were formerly choſen by the votes of the people, they are now appointed by their agent, in whom their ſentiments and their wiſhes are included.

But, though I have proved beyond the poſſibility of a reply, and could prove ſtill further, that the right of election is veſted in the people †, yet I have no objection to give up that point, and to wave this privilege of the laity, provided the election be ſecurely veſted in the clergy; nor ſhould I oppoſe applying for the confirmation of the Pope, provided he be not allowed to reject the object of their

* Hiſtoire Eccleſiaſtique du Pere Alexandre, tom. 8, diſſert. 12, art. 13.

† As an additional proof that the clergy at leaſt, have a right of chooſing their own biſhop, I might adduce the Bull of the preſent Pope, Pius VI. by which he erects the new See of Baltimore; but I ſhould be ſorry to avail myſelf of a Bull which informs us that the Catholic religion is founded on Saint Peter *alone*; and which, after declaring that the holy canons require that biſhops be choſen by the clergy of their dioceſe, permits the clergy of Baltimore, as a ſpecial favor, to elect their biſhop for this time only.

choice.

choice.—There is nothing more worth noticing in theſe pamphlets; I ſhall therefore proceed to the ſecond part of my plan, the hiſtory of the buſineſs. And,

I ſhall a tale unfold, whoſe lighteſt word
Will harrow up your ſouls.

ON Tueſday, the 26th day of January laſt, died the Honourable James Talbot, Lord Biſhop of Birtha, and Vicar Apoſtolic appointed to preſide over the Catholics of the London diſtrict. He had been ill for many months, but probably would have recovered, or at leaſt have lived conſiderably longer, had it not been for the intemperate conduct and unjuſtifiable behaviour of his brother biſhops, who, profiting by his weak ſtate of health, had worked upon his mind, and had perſuaded him in a moment of delirium, to ſign the condemnation of an oath which he had formerly approved. His mind, flurried by this buſineſs, never after returned to its cool and tranquil ſtate. He every day grew worſe, and ſoon fell a victim to theſe violent proceedings.

It had been cuſtomary for our biſhops to appoint (under the name of coadjutors) perſons who during their life aſſiſted them in the diſcharge of their functions, and who upon their death ſucceeded them in the duties of their office. The biſhop commonly fixed upon the three moſt able and beſt qualified (or who to him at leaſt ſeemed to be the moſt able and beſt qualified) perſons of his clergy, and put their names upon a liſt which he ſent up to Rome to the Sacred Congregation De propaganda Fide, in order to obtain its approbation and its confirmation of his coadjutor. But, as perſons

living

living at ſo great a diſtance, however able, or however willing to act right, could not of themſelves be capacitated to judge which perſon was moſt proper to be biſhop here, or who would be moſt agreeable to the wiſhes of the flock which he was to govern, the firſt named upon the liſt was always conſidered by the biſhop who ſent up the names, and by the propaganda who received them, as the perſon who was to be nominated to the place. This rule was generally obſerved; and, with a few exceptions, the firſt upon the liſt was always returned. There was no abſolute neceſſity of ſending up three names, nor was the doing ſo of any real uſe; it was no more than a compliment paid to the See of Rome, and a kind of acknowledgment that the Pope is the head and chief paſtor of our religion.

With this cuſtom however Mr. Talbot had not complied. Upon his death, of courſe, the diſtrict was left deſtitute of a ſpiritual ſuperior, and it became neceſſary to ſupply the vacancy. The Clergy were accordingly convened by the head vicar of the deceaſed prelate, in order to adviſe upon what meaſures it would be proper for them to purſue in this emergency. In conſequence of this ſummons they met on Thurſday the 4th of February, at Mr. Talbot's houſe in Caſtle-ſtreet*.

At this meeting little of conſequence was performed; they could not ſettle even the manner in which they were to proceed, or the rules by which they were to be guided. Called upon to mention ſuch perſons as they thought qualified to be biſhops, a great number ſoon appeared upon the liſt, almoſt each perſon preſent thinking proper to nominate his friend. The only perſons ſummoned to this

* I have had converſations with many of the clergy about theſe meetings, and with one perſon in particular. It is from his account of them that I have formed this narrative.

meeting

meeting were the ſecular clergy of Douay College*. This was remarked upon. A perſon preſent expreſſed his diſapprobation of, and his ſurpriſe at the excluſion of the ex-jeſuits, and moved that they ſhould be invited. He alledged, in ſupport of his motion and in their behalf, that they were no longer jeſuits, but ſeculars in every ſenſe of the word, and that the clergy were bound, of courſe, to conſider them in that light, and ought to allow them a ſhare in all matters in which the ſecular clergy are concerned. But little attention was paid to this ſenſible remark; its worthy propoſer was unſupported. One perſon indeed made an attempt to anſwer him by ſaying, that the ex-jeſuits formed a ſeparate body from the clergy, that their funds were diſtinct, and that as the clergy were not allowed to interfere in the affairs of the ex-jeſuits, the ex-jeſuits had no right to meddle in the private concerns of the ſeculars. In fine, nothing was determined on either ſide, and the meeting was adjourned.

The next meeting was on the Thurſday following †. They then entered upon the buſineſs, Mr. Berington was propoſed, and had met with almoſt univerſal approbation, when, to the ſurpriſe of every body preſent, he was oppoſed by Mr. Southworth. The late Mr. Talbot, in his will, had bequeathed a legacy to Mr. Southworth, and had recommended him to the clergy as a proper perſon to ſucceed him. Mr. Southworth had been paid the legacy, and, conſidering the Catholics as chattels of the the ſame nature, he claimed the biſhopric as due to him under the will of the late biſhop. He ſaid that he had an excluſive right to it, and that it was the will of God that he ſhould be named; for,

* Under the name of Douay clergy, I include thoſe educated at the ſeveral houſes in Paris, Rome, and Spain. The members of them form but one body.

† Feb. 11th.

" God's

" God's will could be known only through the medium of our ſuperiors; and, therefore, as Mr. Talbot had ſo clearly expreſſed his wiſh of being ſucceeded by him, it was, of courſe, the will of God that he ſhould be his ſucceſſor." Many remarks were made upon this curious claim. It was anſwed by many ſharp reflections, and much ridicule was thrown upon the man. Still, however, he would not give up his pretenſions. The buſineſs of the ex-jeſuits was again debated at this meeting, and at length, after much altercation, it was agreed that they ſhould be admitted; but upon the expreſs condition that they ſhould vote for no one who was not a member of the Douay clergy. Wonderful inſtance of clerical liberality! Perhaps every body does not know, that our clergy are educated in different houſes abroad, and that the members of each community have ſeparate intereſts, and form bodies oppoſite to each other. The Douay clergy being the moſt powerful and moſt numerous, claim the ſole right of electing their biſhop, and of managing the affairs of the diſtrict,* though they conſide to others a great part of the ſolicitude, and the ungrateful taſk of teaching and inſtructing the flock. Beſides theſe clergymen, there are in London prieſts of various deſcriptions; ſome of them are of different religious orders, and therefore only calculated for the drudgery of the miniſtry, without being qualified for the diſcharge of its higher functions, and without being able to diſcern in whom the qualities proper for a biſhop are united. There are others alſo who are ſtill more unfortunate; they have the misfortune of having been born in Ireland, and though ſecular prieſts, and ſome of them doctors of

* This was carried ſo far that a ſecular prieſt, who had been educated and ordained at Douay, was excluded from their meetings, becauſe he had then been brought up at the Monk's Convent inſtead of the Secular College.

divinity,

divinity, yet for want of the honor and advantage of having received a Douay education, are doubly unfit for the exalted ſtations filled by the other ſeculars; qualified to fulfil thoſe duties only which are beneath the notice and the aſpiring genius of the Eleves of Douay, unable to ſoar higher than the humble duties of a zealous miſſionary, they are confined to the humble and diſgraceful office of ſupporting chapels, of preaching the goſpel to the people; by their manners and edifying conduct of reſtoring reſpectability to the name of Catholic, of rendering its doctrines amiable, and, by their abilities and eloquent diſcourſes, of attracting a multitude of hearers, who at their ſermons diveſt themſelves of prejudice, improve in morality and virtue, and learn truths divine which come mended from their tongues: but ſtill they are unable to move in a more exalted ſphere. They are unfit not only to be biſhops, but alſo to vote at their election.

Such were lately the ideas of the Douay clergy, at leaſt if we may be allowed to judge of them from their conduct upon this occaſion. But, far different were the ſentiments of the majority of the Catholics. They viewed this behaviour of the clergy with a mixt ſenſation of pity and of indignation; they had always thought that thoſe who had the greateſt ſhare in their inſtruction, were beſt able to judge what perſons were the moſt proper to give the power of inſtructing; they ſpurned at the illiberal idea of determining the privileges of men, by the ſituation of the houſe in which they were ordained: beſides, they had been taught to conſider the ſcriptures as derived from Heaven, to follow their maxims upon every occaſion, and to look up to them with awe, with reverence and reſpect, as containing the wholeſome and inviolable precepts of the Divinity. They had learned in that ſacred book, that all thoſe who work in the vineyard of the Lord are equally entitled to the reward; and they were

were therefore at a loſs how to account for this inexplicable conduct of their paſtors, a conduct ſo diametrically oppoſite to the doctrines which they preached, and to the maxims of their Saviour. To relieve themſelves from this embarraſſing ſituation, they conſidered it in every point of view; they did every thing in their power to explain it. At firſt they thought that having lived and been educated in France, they might have imbibed the ſpirit of the National Aſſembly, and might have adopted a new ſyſtem of religious liberty; they therefore waited with eager anxiety for the appearance of a Douay Declaration of the Rights of Man; but this not appearing according to their ſurmiſe, finding themſelves deceived again in this particular, and not knowing how to extricate themſelves from their unpleaſant perplexity, they concluded that they had hitherto miſtaken the meaning of the goſpel; they ſuppoſed however that it would ſoon be expounded to them in another manner; and they are now in hourly expectation of a new edition of the Douay Bible, in which they preſume that the parable of the labourers in the vineyard will be either explained away or totally expunged, as being too antiquated for, and too ill adapted to the preſent liberal ideas and full expanded notions of theſe new fangled gentlemen of Douay.

The third and laſt meeting of the clergy was on the Thurſday following;* Mr. Southworth did not attend at it, but he wrote a letter, in which, without abſolutely inſiſting upon his claim, he reminded them of it, and refuſed to wave it. Few diſcuſſions relative to the buſineſs took place. A letter from the laity was read, in which, without pretending to dictate to, or to influence the votes of the clergy, they informed them, that ſhould their choice fall on Mr. Berington, it would have the fulleſt approbation of the laity, and that he would meet with their firmeſt ſupport. The clergy were ſoon called upon for

* Feb. 18.

their votes; the ex-jeſuits were preſent, and unanimouſly voted for Mr. Berington. On collecting the voices, the numbers appeared in the following proportion: for Mr. Berington, 39; for Mr. Douglas, 19; for Mr. Brown, 5; ſo that Mr. Berington had a relative majority of twenty more than Mr. Douglas, of thirty-four more than Mr. Brown, and upon the whole an abſolute majority of eight. The meeting then broke up. On the next day Mr. Berington was waited on by ſome of the clergy, who in the name of the meeting informed him of his nomination. He refuſed to acquieſce in it without the conſent of Mr. Thomas Talbot, of whom he was the coadjutor; and ſaid, that, as he already belonged to another diſtrict, it would be improper to remove him. The deputation of the clergy next called upon Mr. Talbot, and deſired him to accede to the united wiſhes of the people*. He raiſed no objections to their ſcheme; he ſaid that he conſidered the election of Mr. Berington by the London clergy, as the higheſt compliment which could be paid to himſelf, and ſhould look upon it as an approbation of his own conduct in fixing on Mr. Berington for his ſucceſſor, and in approving the meaſures in which he had been engaged. He owned, that he felt much regret at loſing him, and at feeling that his dioceſe would be deprived of his aſſiſtance; but he comforted himſelf with the idea of its being for the general advantage of the Catholics, to which every private view and intereſted ſentiment ſhould give way. Mr. Berington then aſſented, and agreed to the propoſal of the clergy.

The nomination of Mr. Berington was ſoon known to every deſcription of perſons. Every body

* Mr. Talbot was preſent alſo at the meeting when Mr. Berington was choſen, and there alſo gave his conſent to the election.

rejoiced

rejoiced in it. It became a ſubject of general exultation. Viſits were paid, and every body ſtopped their acquaintance in the ſtreet to congratulate them on the fortunate event. And no wonder; every Catholic in the diſtrict, either by his perſonal knowledge or by the report of common fame, was well acquainted with the piety, the learning, the abilities, the liberality of ſentiment, the ſweetneſs of diſpoſition, the multifarious endowments and numberleſs good qualities which unite to form his amiable character,

> On which each virtue ſeems to ſet its ſeal,
> To give the world aſſurance of a man.

Idolized by his friends, admired by thoſe who know him only by reputation, and reſpected even by his very enemies, he is qualified in a peculiar manner to be the biſhop of this diſtrict, and the head prelate of the Catholics of this kingdom. He lived ſome years amongſt us without being well known, but at length appearing in the midſt of us, he attracted our hearts by an irreſiſtible charm, by the magic of his virtues: his friendſhip is ſufficient to eſtabliſh the virtue and character of any man. Heaven with a benignant hand in pity to our ſufferings beſtowed him on us in a moment of diſtreſs, when commencing to emerge from the ſoil of perſecution, as in the rainy ſeaſon it bounteouſly grants a fine day to reward the induſtrious labors, and to charm the opening proſpects of the huſbandman. Le Ciel le fit naitre au ſein de notre famille comme un beau jour pour rejouir nos yeux. Then let us joyfully accept our good. O let us be grateful for the godlike boon!—It is true that Mr. Berington has taken the epiſcopal oath; but he took it with much difficulty, after many explanations had been put upon it, and after many aſſurances had been given that it was a matter of mere form, and was

not underſtood to bear the meaning which the words convey; he took it for the ſake of peace, and to avoid diſſentions and diſputes. The taking of this oath is the only blemiſh in his character; and, alas! how frail is man, when a heart in itſelf impeccable ſhall ſometimes fail from even its exceſs of goodneſs.

But virtue has its enemies; it ſeldom can eſcape the malignant ſhafts of calumny and ill-nature. This was exemplified in Mr. Berington's regard. Beſides, he was one of the members of the Catholic Committee, and, of courſe, had ſupported all their meaſures. The ſtrength of his approbation had given them much weight and great currency with the public. He had been very inſtrumental in procuring ſignatures to the Proteſtation, and had been one of the firmeſt ſupporters of the Oath; of courſe he gained much ill-will with the bigotted, with the ignorant, and with the illiberal. He ſoon reckoned amongſt his enemies all thoſe who oppoſed the welfare of the Catholics. By theſe perſons no pains were ſpared to prejudice his character; every thing was done which could decry him with the multitude; nothing was omitted which might tend to blacken him in the eyes of the public; letters to his prejudice were ſent to Rome; falſehoods were aſſerted and ſpread among the herd even in the mandates of biſhops, and prieſts went about to propagate theſe ſlanders. It is true, this was not done openly. His name was not mentioned in theſe paſtoral inſtructions, nor was he calumniated in every ſociety. His enemies knew their ground better. Hoping that what they ſaid was falſe, they with regret mentioned in confidence to their friends that there exiſted ſuch reports againſt him. They were well verſed in the arts of defamation, and therefore knew this to be the beſt method of circulating the ſlander, and of giving currency to the lampoon. But, all was in vain; Mr. Berington was known, and therefore

fore it was impoſſible that any perſon here ſhould give credit to what was ſaid to his diſadvantage. But at Rome the caſe was otherwiſe; perſons there could judge of him only from report, and from the letters which they received from England; and, therefore, as his enemies had correſpondents there, it became neceſſary to write in his behalf. Beſides, Mr. Berington having ſupported the Oath, and having been abuſed for ſupporting it, his election by the London clergy was conſidered as an approbation both of the Oath and of the ſupport which he had given to it; it was therefore with reaſon feared, that all thoſe who had oppoſed the Oath would oppoſe Mr. Berington, and would endeavor to get him rejected, which would be conſidered by them as a virtual condemnation of the Oath. Againſt this alſo it was neceſſary to provide.

It happened very luckily for the cauſe that this election took place on the eve of the foreign poſt day, by which means ſuch of our enemies as lived at a diſtance from town were unable to write to Rome before the arrival of letters of recommendation. This circumſtance was improved to the beſt advantage. There chanced to be at Rome a gentleman well known to moſt of the Catholics, and beloved by all who know him; whoſe firſt object in life is to be uſeful to ſociety, to be of aſſiſtance to his friends, and to be ſerviceable to the body of which he is a member and an illuſtrious ornament. Being moreover a man of great abilities, and indefatigable in following up every object which he has in view, he was looked upon as a proper perſon to further the intereſts of the Catholics in that quarter, by ſecuring Mr. Berington to us, and by getting his nomination confirmed. He was written to in conſequence, and was made fully acquainted with every circumſtance relating to the buſineſs. He was informed of the great majority of the clergy in Mr. Berington's favor; that the regulars were in his intereſt,

tereſt, and that he was attended alſo by the ſuffrages and good wiſhes of all the laity of the diſtrict: moreover, he was deſired to do his utmoſt to counteract ſuch ſchemes as the enemies of our cauſe might endeavor to bring about by underhand methods at the court of Rome. This letter had ſome effect; the nomination of Mr. Berington was known at Rome before the arrival even of any official letter to announce it.

Still, however, we doubted of our ſucceſs. Well acquainted with the tickliſhneſs of Rome in regard of her pretenſions, and knowing that every thing would be attempted to awaken her ſuſpicions on that head, we had reaſon to be alarmed.

On this account the clergy were as anxious as the laity. They remarked to us, that it would be of great advantage to the cauſe, if the Peers, if the Committee, and if the heads of the laity would ſend up petitions in his favor. All this was readily complied with. A letter was prepared, and being ſigned by the Committee and by the chief perſons among the laity, it was ſent to Cardinal Antonelli, who is at the head of the Propaganda, and to whom is confided the direction of all the religious concerns of the Catholic Diſſenters of this kingdom. This letter, after ſtating to him that Mr. Berington had been elected by a conſiderable majority of the clergy, and after mentioning the circumſtances relating to his election, requeſted that he would confirm his nomination; and many cogent reaſons were alledged why he ſhould be appointed in preference to any other perſon. A letter of recommendation was ſent at the ſame time by a member of the diplomatique corps. A few days after, another letter alſo was diſpatched in the name of the Catholic Peers, and in terms ſtill ſtronger than the former. It was obſerved in it, that the critical circumſtances of the times, and the welfare and preſervation of our religion, rendered it abſolutely neceſſary that ſuch a

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man as Mr. Berington ſhould be appointed our biſhop. This letter was addreſſed to the Pope himſelf, and was incloſed in another to the gentleman whom I have already mentioned, deſiring him to tranſlate it into the proper language, and to preſent it in perſon.

In order to correſpond properly with theſe inſtructions, he immediately ſet to work, and endeavoured to find out the moſt likely method to ſucceed. He learnt, upon enquiry, that all the buſineſs at Rome paſſes through the hands of different Cardinals, who, like the Miniſters with us, have each their ſeparate departments; every thing is referred to them, and the Pope pronounces according to their report. He was adviſed, therefore, not to make any direct application to his Holineſs, as it would of courſe be turned over to their office, and might give them offence. Inſtead, therefore, of laying it before the Pope, he waited upon Cardinal Antonelli, and, preſenting the Memorial to him, requeſted that he would make it acceptable to his Holineſs. The Cardinal acknowledged the receipt of all the letters which had been ſent from England; but ſaid, that he could do nothing till Mr. Berington's name ſhould be preſented to him as the choice of the clergy, with the approbation of the vicars apoſtolic. He then deſcanted largely on the Oath and Proteſtation. He expreſſed his diſapprobation of them both, and mentioned the circumſtance of Mr. Berington's abetting them. He concluded, however, by declaring that due regard would be paid to theſe petitions at a proper time, and that the wiſh of people at Rome was always to name the perſon moſt generally acceptable.—Thus ended the intercourſe of the laity with the court of Rome. It will be proper now to notice what was done by other perſons.

The vicar of the diſtrict was charged to expedite the buſineſs, and to convey to Rome intelligence of

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the determination of the clergy; but not being ready by the next poſt day, he deferred to the enſuing week the making of his report. It was ſuppoſed that Mr. Berington would be named immediately upon the arrival of the letter, but it turned out otherwiſe. It was treated with the greateſt indifference by the court of Rome, who rejected the report as informal, becauſe it was not ſigned by the Vicars Apoſtolic; and, ſuch was the contempt which they entertained, or affected to entertain for the clergy, that I believe they did not even condeſcend to honor them with an anſwer, or to inform them that they had rejected their report.

To this report of the head vicar may be attributed our preſent diſappointment, and all the evils of which we now complain; for, if the caſe had been well ſtated, and if the choice of the clergy had been notified to Rome immediately, and in a proper manner, Mr. Berington's name would have been returned before any letters to his prejudice could have arrived at Rome. This letter, therefore, becomes of very great importance, and may perhaps throw great light upon the ſubject. The clergy and ourſelves have a right to ſee it, and Mr. Bernard owes to himſelf as well as to the public to make us acquainted with its contents, and to publiſh it in the ſame words as it was originally written.

I remarked that the regulars had been excluded from any ſhare in the election. They were not, however, willing to ſubmit patiently to this affront. They addreſſed to Mr. Berington a letter, in which they expatiated on the injuſtice which was offered to them; they claimed their right of aſſiſting at the election, and conſented to wave it for this time, only becauſe the clergy had appointed a perſon proper in their opinion for the office, and who would have been the object of their choice had they been called to the election. Others of them, however, adopted a line of conduct leſs ſenſible, leſs candid, and leſs honorable.

honorable. They wrote to their agent at Rome, and, in a letter which they deſired him to forward to the proper office, they complained of the election of Mr. Berington, ſpoke to his diſadvantage, and named another perſon for the place. Their agent, however, happened to be wiſer than his employers; and perceiving that this letter was the offspring of private pique and of perſonal reſentment, he forebore preſenting it. Nor was he wrong; for, in a few poſts after, he received a ſecond letter, countermanding the former, and deſiring him to deſtroy it. I wiſh he had continued to act as ſenſible a part; but, I fear his conduct poſterior to this period would bear with difficulty the ordeal of inveſtigation.—I have done my utmoſt, but never could diſcover who was the perſon whom they named in the place of Mr. Berington, nor have I been able to obtain a ſight of their letter.

The buſineſs then ſeemed to be at a ſtand. For a conſiderable time nothing was done publicly on either ſide. The recommendations in favor of Mr. Berington were ſo numerous, ſo ſtrong, and ſo reſpectable, that nobody entertained a doubt as to the certainty of his nomination. Biſhop Gibſon was dead, and therefore could no longer prejudice his character; and though Mr. Walineſly wrote to Rome in favor of another, yet Mr. Talbot was in his intereſt, and gave him his ſupport. The Nuncios alſo of Paris and of Bruxelles had both written in his behalf, and the Nuncio at Paris, upon hearing a true ſtatement of the buſineſs, had exclaimed, "it is abſolutely neceſſary that Mr. Berington ſhould "be biſhop."

At length, however, we found ourſelves deceived. We had always deſpiſed and had often laughed at the unavailing attempts of thoſe who wiſhed to tarniſh the reputation of Mr. Berington; but we were ſhocked at perceiving that the ſame low arts had been practiſed at the court of Rome; that perſons there

there believed in his defamation, and that they conſidered him to be a man relaxed as to diſcipline, and alſo as to morals. The delay which had taken place had afforded time and opportunity ſufficient for the malevolent to exert their talents; and every perſon who had a pique at the Committee, or who diſapproved of their meaſures, all thoſe who delight in calumny, and thoſe who think to render themſelves of conſequence by oppoſing whatever is going on, united in a common intereſt; and, to complete the helliſh ſcheme, ladies were admitted into this club of defamation; ladies forgetful of their modeſty ſet their hands to calumniating letters, and ſtood forth the avowed champions of obloquy and detraction.

Gentlemen, I cannot help being guilty of a kind of digreſſion on this point; but I truſt the ſubject will excuſe it. The lower part of the female ſex was very inſtrumental in accompliſhing the French Revolution. Women procured the Royal ſanction to the decrees of the National Aſſembly, and had a conſiderable ſhare in promoting their eccleſiaſtical reforms, and in bringing about the changes which were made in the religion of the ſtate; but, is this example to become a precedent? Are we to be guided in our religious concerns by a few deſpicable females, who, by a lame imitation of the fiſh-women of Paris, are become the opprobrium of their ſex, and the diſgrace of their religion? Theſe ladies, perhaps, may be offended at me for comparing them to the French Poiſſardes, but they muſt conſider that in this female mob there were women of various deſcriptions; the Palace Royal and the Rue du Pelican poured forth their impure legions, and there were others alſo who had boxes at the Opera, and who, by the elegance of their language, by the delicacy of their complexions, and by the ſoftneſs of their hands, ſhewed themſelves to be much above

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the common, and to move in the upper walks of life*. Nor do I think at any rate that our biſhop-making ladies can loſe by the compariſon. No one I believe will ever ſuſpect me of a want either of due reſpect for the ſex, or of proper admiration for female charms and beauty; no perſon is more ready or more ſincere in paying to them the tribute of adoration, or of offering up incenſe at the ſhrine of their divinities; but if they quit their orbit and move out of their ſphere, if forgetful of their own dignity they flee the endearing combats of honorable love to enliſt under the banners of calumny and of defamation, my reſpect inſtantly diſappears, my admiration is ſucceeded by diſguſt, and my love is metamorphoſed into hatred. A woman of this caſt is in my opinion leſs amiable, and far leſs virtuous than a common proſtitute. A man of virtue may pity, but no good man ever hated or deſpiſed a woman of the town. But as to a female aſſaſſin of reputation his breaſt has no room for pity; it is already filled; it is already burſting with virtuous ſcorn, and with honeſt indignation. The frail fair are always victims to their ſenſibility, and often to the good qualities of their heart. Practiſed in the art and in the habit of awakening every tender feeling, and of rouſing all the ſofter paſſions, they gild the nauſeous pill of vice and debauchery, by giving it the fair outſide of decency and virtue. Their hearts, from cuſtom, expand on every occaſion. They pity the forlorn; they feel for the unhappy; they ſuffer for the afflicted, weep for their misfortunes, and bleed for their diſtreſs: with them reformation and repentance ſometimes ſucceed to vice and diſſipation. Many of them in their riper years have become bright ornaments of ſociety.

* Procedure criminelle inſtruite au Chatelet de Paris ſur la denonciation des faits arivés a Verſailles, dans la journee du 6 Octobre, 1789.

But,

But, the caſe is very different with calumniating females: dead to all ſoft emotions, hardened againſt every tender ſenſation, ſtrangers to every endearing weakneſs which adorns the woman or ornaments the heart, they are become incapable of virtue and of virtue's pleaſures. If they have eſcaped ſeduction, perhaps it is from a want of virtue ſufficient to render them objects of deſire. Feaſting upon calumny and ſpending their vacant hours in the practice of defamation; delighting in the overthrow of honor and of virtue, their boſoms are ſteeled againſt the cry of miſery, they are undiſmayed at the picture of diſtreſs; they walk triumphant on the wreck of character, ſtrut amidſt the ruins of reputation, riot in the misfortunes of their ſpecies, and pine at their ſucceſs. In them no reformation can be hoped; their hearts, gangrened to the core, are adamants incapable of a virtuous impreſſion; Blackmoors in corruption which nothing can waſh white.

But, to return to the ſubject: the court of Rome was not in a leſs perplexing ſituation: daily receiving contradictory accounts, they were unable to frame any decided opinion on the ſubject; but, wiſhing to adopt ſome method by which they might become acquainted with the real merits of the cauſe, they propoſed to ſend to London ſome perſon, who, being on the ſpot, might gather the real ſentiments of the clergy and of the people here, while they could rely upon his teſtimony as being an eye-witneſs to what was going on, and not being perſonally intereſted in the ſucceſs or advancement of any particular individual. But, it was anſwered to this propoſal, that ſuch a ſtep would be a dangerous experiment, and might give umbrage to the Proteſtants, who would probably conſider it in the light of a papal encroachment. Ridiculous ſuppoſition! Extravagant idea! A much better anſwer was at hand. They ought to have replied in the lan-

guage

guage of an ancient king of Scotland, " We do " not recollect to have ſeen a legate in this coun- " try, and there is no need of calling one. Thank " God we can ſettle our affairs without one."

It was, however, become neceſſary to take ſome decided ſtep in order to avert the impending evil. It was impoſſible to ſit quiet while Mr. Berington was abuſed, and while the recommendations of every rank of perſons in the diſtrict were diſregarded and contemned. The clergy talked loudly of the affront, and boaſted much of their intended firmneſs, and of the vigorous meaſures which they ſhould ſoon adopt; but, when the trial came, theſe reſolutions vaniſhed, and the firmneſs of our preſent clergy will in future ever be compared with the courage and ſtaunch reſolution of Sir Andrew Aguecheek, and henceforward they will always be claſſed together.

There were, however, ſome perſons who felt the indignity offered to the body, and who endeavoured to the utmoſt of their power to rouſe the clergy to activity; but all their attempts were vain. The clergy were not eaſily to be worked upon. They had laboured under the weight of a two hundred years perſecution; and to perſons emerging from that debilitating ſtate, it is much eaſier to vegetate than to act like men. It was agreed on all ſides that it was neceſſary to call a meeting of the clergy. They themſelves allowed it; and ſaid that to convene them was a duty incumbent on the perſons at their head. But every one who was applied to for this purpoſe, though he agreed in the neceſſity of the meaſure, denied it to be his buſineſs, and declared it to be the duty of another.—Gentlemen, I do not wiſh to place the proceedings of the clergy in a ludicrous point of view; nor do I aim at throwing any ridicule on themſelves; but, an idea ſtrikes me at this moment, and I cannot forbear giving it full ſcope: There is upon our Stage, a Farce, of which

which I do not recollect the name; but, in which there is a ſcene analagous to what I have juſt mentioned. The ſcene is in the hall of a certain nobleman, where all his ſervants are aſſembled; a violent knock is heard, but nobody is inclined to anſwer it; the porter deſires the footman to go up, and ſays it is his buſineſs; the footman lays it on the butler, the butler on the groom, the groom on the poſtillion; in fine, each one allows it to be the duty of them all, but denies it to be the duty of himſelf. At length after much debate and repeated knockings at the door, the ſcullery maid goes up and opens it to her maſter. Happy maſter! who at leaſt had a ſcullery maid to do the duty of his ſervants. Unhappy clergy! who neglectful of their duty, could not find a ſcullery maid to perform it.

In the mean while died Mr. Matthew Gibſon, Lord Biſhop of Comana, and Vicar Apoſtolic of the Catholics of the North. He had not appointed a coadjutor; but either in his will, or in a paper which he left behind him, he named his brother William, the then preſident of Douay college, as a proper perſon to ſucceed him. His name was immediately ſent clandeſtinely up to Rome by a few of his friends, with a recommendation from Biſhop Walmeſly, but without the knowledge of the clergy of the diſtrict; and the buſineſs was conducted in a manner ſo ſecret, that Mr. Gibſon's nomination was confirmed at Rome before any body in England had the leaſt ſuſpicion of his being named.

At the firſt news of this ſtrange affair every body was thunderſtruck. It appeared very ſtrange that the court of Rome, while it objected to the nomination of Mr. Berington, canonically elected by all the clergy of his dioceſe and with the approbation of the laity, ſhould immediately confirm that of Mr. Gibſon, ſurreptitiouſly appointed by a few of the clergy, to the excluſion of the majority. The

clergy

clergy of the north refuſed to accept of Mr. Gibſon, and laid their complaints before the court of Rome. That court expreſſed much ſurpriſe, and teſtified much regret that Mr. Gibſon ſhould not meet with univerſal approbation. They ſaid, that being informed that the London clergy were much irritated againſt them on account of their conduct towards Mr. Berington, they had wiſhed to ſhew that they had no ill intention; and, therefore, to convince us of it, and in order to ſatisfy all parties, they had inſtantly confirmed the nomination of Mr. Gibſon. But, this was not exactly the caſe; it was a mere political excuſe, invented by Italian Aſtutia; for the court of Rome had been informed above a twelvemonth before, that ſhould Mr. Gibſon be named he would be diſagreeable to the clergy. But let us admit the ſuppoſition, it ſtill makes in our favor, and ſhews it to be improper to leave the nomination of our biſhops in the court of Rome, ſince that court is ſo ignorant of our concerns as to do us an injury when it means a favor; or, in the emphatic language of the ſcriptures, feeds us with ſtones when it means to give us bread*. Such, Gentlemen, was the ſituation of our affairs when Mr. Douglas was nominated biſhop of the London diſtrict and received his bulls.

Gentlemen, I have now completed the plan which I propoſed. I have reviewed, and I truſt impartially, the pamphlets which have been written on

* I do not mean by this to give my ſentiments of Mr. Gibſon. I merely relate what has happened in his regard, and what I hear to be the ſentiments of the northern clergy. It would be even improper in me to enter into the merits of the queſtion, as I do not belong to the diſtrict over which he is appointed. I know that he has a great many enemies, and I am happy therefore to have this opportunity of declaring, that both here and at Douay, and eſpecially at the laſt place, he always behaved to me in a moſt gentleman-like manner, and ſo as to give me great ſatisfaction.

both ſides of the queſtion, and have given an accurate account and full hiſtory of the buſineſs, from its commencement, and through all its ſtages.—I ſhall now take the liberty of preſenting you with a few reflections.

IT is a circumſtance worth attending to, that the laity have not interfered throughout the whole of theſe proceedings. Their letters were written, and the whole of their conduct was regulated by the advice, by the direction, and at the inſtigation of the clergy. As the clergy ſeemed to have the ſame end in view, and were deſirous of procuring the nomination of the ſame perſon as was the object of our wiſhes, we thought it beſt to avoid every thing which might cauſe a miſunderſtanding; we therefore left to them the entire management of the buſineſs, and ſtepped forward only when they thought it neceſſary for their ſupport, or to back their recommendations. We were much diſpleaſed when, through exceſs of timidity, they ſent up two names in addition to that of Mr. Berington; but ſtill we forebore complaining, leſt we ſhould injure the cauſe, and by our over-eagerneſs prevent his nomination. But, theſe reaſons now exiſt no longer; and, are we to ſuffer from the timidity, or from the imprudence of our clergy? Are our rights aboliſhed becauſe we declined exerting them for a time? Becauſe we truſted our cauſe in the hands of the clergy, are we to be the victims of our confidence, and to put up with indignity? I hope not, Gentlemen; we have given the clergy a fair trial; they have had every opportunity of exertion; we have aſſiſted them to the utmoſt of our power, yet they have not ſucceeded in the undertaking; it is fair then at laſt

to

to take the buſineſs into our own hands, to vindicate our rights, and to avenge our wrongs.

But, what is to be done? what ſteps ſhould we take? what line of conduct ſhould we purſue? Reject the nomination of Mr. Douglas, refuſe to acknowledge him as your biſhop, name Mr. Berington for your paſtor, claim him as your own, deny obedience to the mandates of any other, and proteſt againſt his proceedings. Do this, Gentlemen, and you will obtain the wiſhed for end; you will do an eſſential ſervice to religion; the clergy themſelves will be obliged to you; you will promote the intereſts of your children, and poſterity will look up to you with gratitude and obligation.

But, how can this be attempted? "The Pope has named Mr. Douglas to this diſtrict, we therefore muſt acquieſce in his nomination. There is no example in hiſtory of biſhops who were appointed in oppoſition to the Pope." But, Gentlemen, there are inſtances of biſhops who have been appointed without even conſulting the See of Rome, and of others alſo who have been depoſed in defiance of it, and who never have been reinſtated notwithſtanding all its efforts and intrigues. Beſides, there are alſo inſtances of biſhops who have been appointed in direct contradiction, and in downright oppoſition to its orders. I ſhall mention only one example.

Eugenius the Fourth having refuſed to give the pallium to Hugo, archbiſhop of Rouen, becauſe, in conformity to the decree of the council of Baſil, he had refuſed to pay to Rome the annats, or firſt year's revenue of his biſhopric, the council of Baſil gave orders to Amedeus, archbiſhop of Lyons and primate of Gaul, to decorate him with it, which he did accordingly. As this is an intereſting anecdote, it may not be amiſs to tranſcribe the very words of the diploma by which the fathers of that council inveſted Amedeus with this power: "You

" who have the pallium and are primate of Gaul,
" holding the ſame rank as the patriarchs, differ-
" ing from them only in name, ſince by the per-
" miſſion of the council of Lateran it was granted
" to them to give to their metropolitans the pallium
" which themſelves had already, We for the above-
" named reaſons extending for this time the ſame
" permiſſion unto you, WILL AND ORDAIN, that
" being ſummarily aſſured of the above-mentioned
" facts, you ſhall declare that he (viz. the Archbi-
" ſhop of Rouen) is in no wiſe obliged to make to
" the Apoſtolic Chamber any further payment,
" which, by the authority of the Univerſal Church
" we hereby remit to him. And we alſo WILL
" AND ORDAIN that you give to him the pallium,
" (that is to ſay) the mark of the plenitude of the
" pontifical office taken from the body of Saint
" Peter, in honor of the Almighty, of the bleſſed
" Virgin Mary, of the holy apoſtles Peter and Paul,
" of the Univerſal Church, and of that of Rouen
" which is confided to him, in order that he may
" make uſe of it in his church."*

I might adduce many other examples to prove that the confirmation of the court of Rome is not neceſſary for biſhops, but it would be unneceſſary. I ſhall only add a decree of the council of Baſil, which orders the Pope to confirm a canonical election; but, if there appears to have been foul play, it allows him to take the opinion of the Cardinals, and then to ſend to thoſe in whom the right is veſted, in order that they may proceed to another election†. But it no where allows him to reject a perſon canonically choſen, and to ſubſtitute another in his place.

* Martene's veterum Scriptorum ampliſſima Collectio, tom 8, age 868.

† Seſſione 23.

But

But, " granting all this; allowing even that the right of election is veſted in ourſelves alone, and that the Pope is bound to confirm our nomination; ſtill, in the preſent inſtance, we cannot refuſe to accept of Mr. Douglas. The clergy did not abſolutely chooſe Mr. Berington; they alſo choſe two others. It is true, that by placing his name firſt, they ſhewed that he was the object of their wiſhes; but by ſending up two other names, they gave up their right of appointing, and left the final nomination in the court of Rome: that court has fixed on Mr. Douglas, we therefore are bound to acquieſce in its deciſion."

This is the only objection which bears even the ſemblance of plauſibility; but, I truſt, I ſhall be able to refute it. In the firſt place, were the clergy right in ſending up three names? I need not enter upon this queſtion; themſelves allow that they were wrong in doing ſo, and now repent of their miſtake. It becomes then our buſineſs to correct, not to ſuffer for their blunders. And, how can we correct them, unleſs by adhering to the perſon canonically choſen, and by refuſing to ſubmit to any other who had not the majority of ſuffrages? In the ſecond place, Does the ſending up three names neceſſarily imply a power of election in the Pope? I think not, Gentlemen; and it never was ſuppoſed to imply any thing of the kind. Nor would the clergy have ſent up three names, had they not conſidered it as a matter of mere form, and had they not imagined that the nomination of Mr. Berington would neceſſarily be confirmed. Beſides, why always place firſt the perſon who is meant to be appointed, unleſs the returning the firſt name upon the liſt be conſidered as a thing of courſe, and that he alone is to be named, to the excluſion of the others. There are indeed a few examples to the contrary; but, theſe are not rules by which we ſhould be guided; they are exceptions only, which eſtabliſh and confirm the rule; a rule

ſo general, that whenever there has been a deviation from it, the biſhops have conſidered it as irregular, though perhaps they may not always have made a formal complaint. Moreover, if the Pope has the power of appointing which of the three he chooſes, he has the power either as a matter of compliment or as a matter of right.—If as a matter of compliment, why not conſider it as ſuch? and why not view it in the light of an unmeaning offer, which would never have been made had there been any ſuſpicion that it would have been accepted?—If as a matter of right, it is becauſe he has a right to nominate biſhops in this country; a claim which the clergy would not be very willing to allow; for, if he has the right of nominating our biſhops, it follows that the clergy have no right of electing them even in the firſt inſtance, and that the court of Rome may appoint a biſhop over us without conſulting either the clergy or the laity, and even contrary to the wiſhes of them both.

The following account will help to corrobate what I have advanced, viz. "that the ſending up "three names does not neceſſarily imply in the "Pope a power of naming which of them he pleaſ-"es." Upon ſettling the diſputes which lately ſubſiſted between the court of Naples and of Rome, the method of appointing biſhops was determined; and, it is agreed that upon a vacancy, the king ſhall ſend three names to the Pope, who is to return the firſt upon the liſt, unleſs he ſhall know ſomething contrary to his orthodoxy or morals; in which caſe, he is to give his reaſons for rejecting him. If the reaſons are ſufficient, the king is to nominate anew; but if they are bad, the firſt upon the liſt is to be conſecrated biſhop, notwithſtanding the refuſal of the Pope*. Thus the court of Rome conſiders

* I had this account from a very reſpectable authority, but as I never ſaw the agreement I can vouch for it no further.

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the ſending up three names as a matter of mere empty form; and, ſhall we give to it a power which itſelf no longer claims, and to which it has no right?

But, I have a ſtill ſtronger argument. Mr. Berington was choſen by a conſiderable majority of the clergy; he was ſupported by the laity, and was addreſſed by many of the regulars. He had the ſtrongeſt recommendations at the court of Rome, and in the uſual courſe of things ought to have been appointed. How came it then to turn out otherwiſe? Becauſe the petitions, the letters, the recommendations of our clergy, of our peers, of our laity, and of our committee, were diſregarded and looked upon as the meaſures of a low cabal, and of a deſigning faction; while thoſe of a few obſcure ill-meaning individuals had every attention paid to them, were treated with reſpect, and their authors were conſidered as conveying the ſenſe of the whole body of the Catholics; becauſe Mr. Berington has ſupported the meaſures of the committee, has ſtood by the oath which you have approved, and has defended the proteſtation which you all have ſigned, and in which you glory; becauſe, in in fine, his ſpotleſs character has been traduced, and he is conſidered as an immoral and an irreligious man.—Gentlemen, can you in honor, can you in duty, can you with ſafe conſciences ſubmit to this? Can you quietly conſent to ſuch a degradation of yourſelves? I at leaſt cannot. But if you acquieſce in the nomination of Mr. Douglas, you agree to all this. It is upon theſe grounds, upon theſe principles alone that he is named, and upon theſe alone that Mr. Berington is rejected; of courſe all thoſe who agree to the nomination of Mr. Douglas, will (or at leaſt will be ſuppoſed to) agree to and approve the grounds and principles upon which his nomination is found and eſtabliſhed. "Great, Gentlemen, is the glory of the man, whom virtue and honor

honor lead in triumph to his See; but ſmall is the glory of the perſon, who triumphs over virtue and tramples upon reputation to arrive at it."

But, I cannot perſuade myſelf that Mr. Douglas will conſent to be our biſhop. I am hardly acquainted with him, and know but little of him. I never heard even a whiſper to his diſadvantage, and I believe the breath of calumny never yet has dared to blow upon him. About eighteen months ago, I paſſed the greateſt part of two days with him at York; and no man, upon ſo ſhort acquaintance, ever inſpired me with ſo much eſteem. In him I obſerved a deſire to pleaſe and to be of ſervice; he was happy in being uſeful to me; I perceived that every one was glad to meet him in the ſtreet; at his appearance joy beamed in the countenance of of his pariſhioners; goodneſs of heart and univerſal benevolence ſeemed to have gained him the hearts of his acquaintance and of his flock. I at that time conceived the higheſt idea of him, of his character, and of his virtues; nor, is my opinion of him leſſened; I cannot think him capable of accepting this biſhopric in the preſent circumſtances.

One other objection ſtill remains, namely, the letter which Mr. Berington ſent round to all the clergy of the diſtrict, to each member of the committee, and to ſuch of the laity as had been moſt earneſt in his ſupport. I ſhall tranſcribe it at full length; it does honor to his heart, and will ſerve to ſhew the character of the man.

Oſcot, Nov. 4th, 1790.

Gentlemen,

The diſſentions which have lately prevailed amongſt us have, from their firſt commencement, given me real concern. The deſire of putting a final period to ſuch diſedifying conteſts, and the approbation of my general conduct at your laſt election of a biſhop, induced me much againſt my inclinations

nations to ſubmit to the weighty charge if canonically impoſed upon me. The affair has terminated I believe contrary to your wiſhes, but much to my ſatisfaction. The ſupreme paſtor of the Catholic Church has impoſed the burthen on a perſon who was honored with a conſiderable number of votes at your late election, whoſe merits of courſe are not unknown to you. Mr. Douglas is a clergyman endowed with conſiderable abilities, much piety, of an univerſal good character, good ſenſe and prudence, whoſe views will be ſolely directed to promote the good of religion, and merit your warmeſt approbation. I muſt, therefore, beg leave to intreat you by all that is dear to you, by your well known zeal for religion, by your deſire of promoting peace and concord, &c. &c. &c. to grant him that ſame hearty concurrence and generous ſupport which you ſo liberally promiſed to,

Gentlemen,

Your moſt obedient humble ſervant,

CHARLES BERINGTON.

But, this letter, in my opinion, ſo far from being a reaſon againſt inſiſting on Mr. Berington is an additional argument for his being named. It ſhews his modeſty and virtue, and renders him ſtill more qualified for the office. Corelli, it is ſaid, wiſhing to immortalize his name, ordered to be engraved on his monument a jig, with which he had raviſhed the ears of his countrymen. To perpetuate the memory of Mr. Berington, there will be no need of engraving this letter on his tomb-ſtone; it is already engraved in the hearts of his acquaintance with a pen of iron and with a point of diamond; babes ſoon will be taught to liſp it out, we ſhall teach it to our children, and ſhall hand it down to them as a model for poſterity.

There remains alſo another conſideration. Mr. Berington's character is ſo well eſtabliſhed, his virtues

tues are ſo well known, that he may diſregard the abuſe of the illiberal; he knows it cannot hurt him or diminiſh your eſteem; he alſo knows that at Rome, his character may be eaſily re-eſtabliſhed. But, if you deſert him upon this occaſion, if, by ſubmitting to another, you appear to ſet your ſignatures to his defamation, it will then become difficult; and, whatever you may advance in his behalf, the court of Rome will never imagine that you would have conſented to give him up ſo quietly, if you really entertained ſuch an eſteem for him, and if he really poſſeſſed ſo excellent a character.

Beſides, you have many obligations to Mr. Berington; he has exerted himſelf much, and has done every thing he could to ſerve you. Be not then ungrateful; afflict him not ever with the ſore recollection that he is a victim to his endeavors to aſſiſt you, and that his character is tarniſhed on account of his efforts in your ſervice. Such conduct in you, Gentlemen, would be ungenerous in the extreme; it would be embittering his days; it would be giving him the cup of wormwood, not indeed after the manner of epicures to excite an appetite inordinate, but to appal his ordinate and proper appetite to promote your intereſts and to ſuſtain your cauſe.

You ſhould alſo conſider what is due to Mr. Talbot. He approved of the clergy's choice. In compliment to you he conſented to give up his coadjutor, and has been ſince very earneſt in ſupporting him. Do you imagine that he will tamely ſubmit either to the affront offered to himſelf in the perſon of Mr. Berington, or to his being rejected on theſe grounds? Deſcended from his father, I ought to underſtand the nature of his blood. It is the ſame which flowed in the veins of the generous Conqueror of France; nor is it in the leaſt degenerated: it can bear with much, it can ſuffer a great deal, but it cannot put up with an indignity, or deſert a friend.

Gentlemen,

Gentlemen, I have little more to ſay upon this ſubject. I have endeavored to place the whole of this buſineſs in the light in which it ſtrikes me, and, in the point of view in which I wiſh you to conſider it. If you agree with my ſentiments, this letter may be of uſe; it may be the means of calling forth your exertions, and of exciting you to ſtand up to your rights: if ſo, my end will be accompliſhed, and I ſhall conſider it the greateſt happineſs of my life to have been the humble inſtrument of promoting your welfare, and of delivering you from a dependance which never can be either honorable or ſerviceable to you; but to which may be imputed all your preſent and paſt evils, and all the perſecutions which you have ſuffered. Quand une nation eſt aſſez eclairée ſur ſes droits elle eſt rarement aſſez heureuſe pour avoir des Papes extravagants.* With you this is not the caſe. You are upon the point of becoming victims to their extravagance. Beware then of verifying the converſe of the propoſition, by ſhewing that you are unenlightened as to your rights or (what is worſe) that you are unwilling to exert them. You never had ſo fair an opportunity, or ſuch good reaſon for making yourſelves free; profit by the circumſtance; let it not eſcape you; it may never more return. Shew for a moment that you are men; imitate the ſpirited example of your anceſtors, who on a like occaſion declared, that they would rather die than ſubmit to the tyranny of Rome†.

To conclude—Gentlemen, I diſmiſs this pamphlet without any apology or excuſe. You are the

* Hiſtoire de la Sorbonne, by the Abbé Duvernet.

† In caſe, either on account of not being convened, or for any other reaſon, the laity of this diſtrict are prevented from adopting any other meaſures in the preſent emergency, I hereby pledge myſelf to bring the buſineſs forward at the next general meeting of the Catholics in the enſuing month of May.

beſt able to determine on its merits. I ſubmit to you, whether it be worthy of cenſure or of approbation. I have put my name to it, not becauſe I think that it will add much weight to my arguments; but, becauſe if what I have ſaid be wrong, you have a right to know whom to impeach; and, becauſe when I attack either a body or an individual, I ſhall always think myſelf in honor bound to adhere ſtedfaſtly to the maxim, Tout honnête homme doit avouer le livres qu'il publie."*

Gentlemen,

I have the honor to remain,

with unfeigned ſincerity,

Your moſt devoted ſervant,

and well-wiſher,

Lincoln's Inn.
4th December, 1790.

HENRY CLIFFORD.

* Premiere preface a la nouvelle Heloiſe.

NOTE TO PAGE TWO.

On Mr. PILLING.

SINCE I began this letter, Mr. Pilling has given us a ſecond pamphlet. I have read it through with attention, but I own that I do not underſtand it. "Tout ce qui eſt au deſſus de "l'intelligence du vulgaire eſt a ſes yeux ou ſacré, ou profane, "ou abominable." To me it appears neither ſacred nor profane. I perceive, however, that Mr Pilling is deſirous of decrying the Proteſtation; it will not be amiſs, therefore, to ſtate his conduct relating to it.

At the general meeting of the clergy he made many objections, and not being ſatisfied with the anſwers given to them, he refuſed to ſign it; he even ſaid that he had rather forfeit his hands: about five minutes after I turned round and ſaw him ſigning the Proteſtation. He ſupped that evening at a gentleman's houſe in South Molton-ſtreet; a perſon who called in, found him haranguing the company, and ſpeaking againſt the Proteſtation. This perſon rebuked him for endeavoring to poiſon the minds of perſons who were ſtrangers to the buſineſs, and told him that he ought to have made all his objections at the meeting, where he would have been anſwered eaſily, as amongſt the perſons who aſſiſted at it, there were many more learned than, and all of them were as learned as himſelf. Sir, replied Mr. Pilling, your reaſoning is grounded upon a falſe principle; there was no perſon more learned, or even as learned as me *.

The next morning I met him at the door of the chapel in South-ſtreet. He told me, that ſince he had ſigned the Proteſtation many ſcruples had ariſen in his breaſt; that in the evening he had heartily repented it, but having ſlept upon it, he found his mind more at eaſe, and was well ſatisfied as to its propriety. He then aſked me if I had waited on Mr. Bolton †; upon my anſwering in the negative, he adviſed me to call upon him, and (as a proof of the ſincerity of his converſion) ſaid, that he would precede me, and prepare Mr. Bolton for my viſit. I own that

* This fact was told to me by a perſon who was preſent.

† Mr. Bolton is Chaplain to Miſs F---ſ—x and then was with her in Conduit-ſtreet.

I was

I was unwilling to accede to this propoſal. I knew Mr. Pilling, and was afraid that he meant to uſe ſome pious fraud, and to prejudice Mr. Bolton againſt the Proteſtation; however I conſented.—When I called on Mr. Bolton, Mr. Pilling had been with him ſome time—I was deſired to read the Proteſtation—Mr. Pilling continually interrupted me in order to explain it, and to ſhew it in its proper light. When I had done Mr. Bolton ſigned it, and ſaid, that after Mr. Pilling's explanation there could be no objection to it.—This is one of the unjuſtifiable means uſed to procure ſignatures to the Proteſtation *.

Mr. Reeves, in his Review of the Oath, has given an accurate account of moſt of the facts relating to the Proteſtation, and has convicted Mr. Pilling of ſeveral falſe ſtatements and erroneous aſſertions. Still Mr. Pilling declares, that "he does not find "one ſingle ſentence in his Dialogue which he wiſhes had been "omitted †." So great a divine as Mr. Pilling could never condeſcend to throw away his time upon the flimſy productions of elegant and polite writers, elſe I ſhould ſuſpect him of having borrowed this idea from Sir Fretful Plagiary. But what then—that's of no conſequence—all that can be ſaid is, that two great men happened to hit upon the ſame thought, and Sir Fretful uſed it firſt, that's all.—"See Puff in the Critic, Act 3d."

* See Mr. Pilling's Dialogue.

† Letter to the Reverend Mr. Joſeph Reeves, p. 9.

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